

PTO/SB/08a (04-07)

Approved for use through 9/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

<i>Confirmation Number</i>	9858
<i>Application Number</i>	10/564717
<i>Filing Date</i>	11/DEC/2003
<i>First Named Inventor</i>	DAVID SONNABEND
<i>Group Art Unit</i>	3775
<i>Examiner Name</i>	LAWSON, MATTHEW JAMES
<i>Attorney Docket Number</i>	DEP0721USPCT

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		3702611	A	Fishbein, Meyer	11/14/1972	
		4011025	A	Kress, Dieter	3/8/1977	
		4621637	A	Fishbein, Meyer	11/11/1986	
		4943291	A	Tanguy, Christian	7/24/1990	
		4992010	A	Fischer, Artur	2/12/1991	
		5445639	A	Kuslich, Stephen D.	8/29/1995	
		5913867	A	Dion, Ernest A.	6/22/1999	
		6383188	B2	Kuslich, Stephen D.	5/7/2002	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		WO	2001060268	A1	SPINEOLOGY GROUP, LLC	8/23/2001		
		WO	2001034040	A1	DEPUY INTERNATIONAL LIMITED	5/17/2001		

Examiner Signature	/Matthew Lawson/	Date Considered	10/30/2009
--------------------	------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov). <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the individual case.

Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.L./